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Dated: October 17, 2002

Signature *Ronnie Webb*
(Ronnie Webb)

#5
W-
Docket No.: HO-P02375US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Paul R. Heaton, et al.

Application No.: 10/068,697

Filed: February 6, 2002

For: ANTIOXIDANT COMPONENTS FOR
REDUCTION OF NUCLEIC ACID
DAMAGE IN COMPANION ANIMALS

Group Art Unit: N/A

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

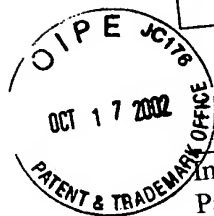
Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other



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material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02375US0.

Dated: October 17, 2002

Respectfully submitted,

By 

Melissa W. Acosta

Registration No.: 45,872

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PTO/SB/08A (10-01)

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| | | | | Application Number | 10/068,697 |
| | | | | Filing Date | February 6, 2002 |
| | | | | First Named Inventor | Paul R. Heaton |
| | | | | Art Unit | N/A |
| Examiner Name | Not Yet Assigned | | | | |
| Attorney Docket Number | HO-P02375US0 | | | | |
| Sheet | 1 | of | 4 | | |

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| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|--|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | AA | 5937790- | 08-17-1999 | Ito et al. | |
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|--------------------------|--------------------------|---|--------------------------------|--|--|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
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| | BB | IB-01/17364-A1 | 03-15-2001 | Effem Foods Pty Ltd | | |
| | BC | EP-0 848 955-A1 | 06-24-1998 | Showa Denko Kabushiki Kaisha | | |
| | BD | EP-0 845 216-A1 | 06-03-1998 | Sowa Denko Kabushiki Kaisha | | |
| | BE | IB-00/72698-A1 | 12-07-2000 | The Iams Company | | |
| | BF | IB-01/17364-A1 | 03-15-2001 | Effem Foods Pty Ltd | | |

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Application Number | 10/068,697 |
| | | | | Filing Date | February 6, 2002 |
| | | | | First Named Inventor | Paul R. Heaton |
| | | | | Group Art Unit | N/A |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 2 | of | 4 | Attorney Docket Number | HO-P02375US0 |

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| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|--|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CA | Bohr, Vilhelm A.; DNA Damage and Its Processing With Aging: Human Premature Aging Syndromes as Model Systems; The Role of DNA Damage and Repair in Cell Aging, B.A. Gilchrest and V.A. Bohr, editors; pages 191 - 206 | |
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| | CJ | Prasad, Kailash, et al.; Oxidative Stress as a Mechanism of Cardiac Failure in Chronic Volume Overload in Canine Model; J Mol. Cell Cardiol. 28, pages 375 - 385, 1996 | |
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| | CR | Harper, E. J., et al.; Abstract - Total Plasma Antioxidants Status in Kittens; Presented at FASEB/Experimental Biology Meeting, 2000 (#363.14) | |
| | CS | Charlton, C. J., et al.; Abstract - Feeding an Antioxidant Fortified Diet Increases the Antioxidant Capacity of Cats; Presented at FASEB/Experimental Biology Meeting, 2000 (#521.9) | |
| | CT | Haq, A. U., et al.; Neonatal Immune Response and Growth Performance of Chicks Hatched from Single Comb White Leghorn Breeders Fed Diets Supplemented with B-Carotene, Canthaxanthin, or Lutein; Poultry Science 74:844-851, 1995 | |



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| | | Application Number | 10/068,697 | | |
| | | Filing Date | February 6, 2002 | | |
| | | First Named Inventor | Paul R. Heaton | | |
| | | Group Art Unit | N/A | | |
| | | Examiner Name | Not Yet Assigned | | |
| Sheet | 3 | of | 4 | Attorney Docket Number | HO-P02375US0 |

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| CV | Chew, Boon P.; Antioxidant Vitamins Affect Food Animal Immunity and Health; J. Nutr. 125: 1804S-1808S, 1995 |
| CW | Chew, Boon P., et al.; Uptake of Orally Administered B-Carotene by Blood Plasma, Leukocytes, and Lipoproteins in Calves; J. Anim. Sci. 71:730-739; 1993 |
| CX | MacDonald, M.L., et al.; Nutrition of the Domestic Cat, a Mammalian Carnivore; Ann. Rev. Nutr. 4:521-62; 1984 |
| CY | Chew, Boon P.; Symposium: Immune Function: Relationship of Nutrition and Disease Control, Vitamin A and B-Carotene on Host Defense; J. Dairy Sci 70:2732-2743; 1987 |
| CZ | Park, Jean Soon, et al.; Dietary Lutein Absorption from Marigold Extract is Rapid in BALB/c Mice; J Nutr. 128:1802-1806, 1998 |
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| CB1 | Kallfelz, Francis A., et al.; Overnutrition: An Epidemic Problem in Pet Animal Practice?; Clinical Nutrition pages 433-446, 1989 |
| CC1 | Bendich, Adrienne; Carotenoids and the Immune Response; J. Nutr. 119:112-115, 1989 |
| CD1 | Bendich, Adrienne; Antioxidant Micronutrients and Immune Responses; Annals New York Academy of Sciences, pages 168-180 |
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| CF1 | Palozza, Paola, et al.; Communication - B-Carotene and a-Tocopherol Are Synergistic Antioxidants; Archives of Biochemistry and Biophysics, Vol. 297 (1) August 15, pages 184-187, 1992 |
| CG1 | Schmidt, Karlheinz; Antioxidant vitamins and B-carotene: effects on immunocompetence; Am J Clin Nutr 1991;53:383S-5S |
| CH1 | VPN Staff Report; Antioxidants may improve pet health; Veterinary Product News; March/April 1994, Vol. 6(3) |
| CI1 | Antioxidant vitamin 'missing link' for pets; Feedstuffs, The Weekly Newspaper for Agribusiness; Vol. 67 (2); January 9, 1995 |
| CJ1 | Pharmacy Update: Antioxidant Vitamins in Canine Nutrition; Veterinary Technician; November/December 1994; pages 587-589 |
| CK1 | Machlin, Lawrence J.; Antioxidant vitamins - Role in disease prevention; Pet Food Industry; Vol. 35 (6); November/December, 1993 |
| CL1 | Harper, E. J., et al.; Abstract - Total Plasma Antioxidants in Cats; Normal Ranges and Influence of Age; Presented at FASEB/Experimental Biology Meeting, 2000 (#446.16) |
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| Examiner Signature | | Date Considered | |
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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/068,697 | |
| | Filing Date | February 6, 2002 | |
| | First Named Inventor | Paul R. Heaton | |
| | Group Art Unit | N/A | |
| | Examiner Name | Not Yet Assigned | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | HO-P02375US0 |

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual Name | FULBRIGHT & JAWORSKI L.L.P. Melissa W. Acosta |
| Signature | |
| Date | October 17, 2002 |

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